

## MEETING RECORD

**NAME OF GROUP:** PLANNING COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Wednesday, May 18, 2005, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

**MEMBERS IN ATTENDANCE:** Jon Carlson, Gene Carroll, Roger Larson, Gerry Krieser, Mary Bills-Strand, Lynn Sunderman and Tommy Taylor (arrived late in the meeting); Marvin Krout, Stephen Henrichsen, Duncan Ross, David Cary, Jean Walker and Teresa McKinstry of the Planning Department; media and other interested citizens.

**STATED PURPOSE OF MEETING:** Special Public Hearing  
**Comprehensive Plan Annual Review;**  
**FY2005/06 - 2010/11 Capital Improvements Program;**  
**and FY2006/08 - 2009/11 Transportation Improvement Program**

Chair Bills-Strand called the meeting to order.

**COMPREHENSIVE PLAN AMENDMENT NO. 05003**  
**TO UPDATE AND AMEND THE TRAILS & BICYCLE**  
**FACILITIES PLAN MAP TO REFLECT THE LOCATION**  
**OF THE DEAD MAN'S RUN TRAIL FROM N. 33<sup>RD</sup> TO**  
**N. 48<sup>TH</sup> STREET ON THE SOUTH SIDE OF HUNTINGTON/LEIGHTON**  
**AND TO UPDATE THE MAP TO SHOW COMPLETED TRAIL AND**  
**GRADE SEPARATIONS.**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 18, 2005

Members present: Carlson, Sunderman, Krieser, Larson, Carroll, and Bills-Strand (Taylor and Pearson absent).

Staff recommendation: Approval.

Ex Parte Communications: None.

**1. David Cary** of Planning staff presented the proposal on behalf of the Parks & Recreation Department, which is also supported by the Pedestrian and Bicycle Advisory Committee. It is a clean-up type amendment to show a slight change in location of the Dead Man's Run trail,

which is currently shown running through the UNL East Campus. There is an ongoing project which has now gained funding to move the trail location to the Huntington/Leighton alignment on the south side, and an amendment to update the map to show the completed Rock Island trail.

There was no testimony in opposition.

**ACTION BY PLANNING COMMISSION:**

May 18, 2005

Carlson moved approval, seconded by Carroll and carried 6-0: Carlson, Sunderman, Krieser, Larson, Carroll and Bills-Strand voting 'yes'; Taylor and Pearson absent. This is a recommendation to the City County and Lancaster County Board.

**COMPREHENSIVE PLAN AMENDMENT NO. 05004**  
**TO UPDATE AND AMEND THE COUNTY MAP FOR FUTURE ROAD IMPROVEMENTS**  
**TO DESIGNATE SOUTH 82<sup>ND</sup> STREET**  
**FROM HICKMAN ROAD TO PANAMA ROAD AS POTENTIAL PAVING.**  
**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 18, 2005

Members present: Carlson, Sunderman, Krieser, Larson, Carroll, and Bills-Strand (Taylor and Pearson absent).

Staff recommendation: Approval.

Ex Parte Communications: None.

**1. David Cary** of Planning staff presented the proposed amendment as requested by the Lancaster County Board of Commissioners and recommended for approval by the staff. The proposal is to designate South 82<sup>nd</sup> Street from Hickman Road to Panama Road as future paving to coincide with the viaduct project along S. 68<sup>th</sup> Street, which will be closing 68<sup>th</sup> through Hickman for approximately two years. South 82<sup>nd</sup> Street is going to be the detour. The impact on that road would be too great to handle the increased traffic of 3,000 cars per day. Therefore, the proposal is to identify it for future paving prior to the viaduct project.

There was no testimony in opposition.

**ACTION BY PLANNING COMMISSION:**

May 18, 2005

Larson moved approval, seconded by Krieser and carried 6-0: Carlson, Sunderman, Krieser, Larson, Carroll and Bills-Strand voting 'yes'; Taylor and Pearson absent. This is a recommendation to the City County and Lancaster County Board.

**COMPREHENSIVE PLAN AMENDMENT NO. 05005**  
**TO AMEND THE AREA STREET AND ROADWAY IMPROVEMENT MAP**  
**AND RELATED TEXT TO CHANGE FLETCHER AVENUE**  
**FROM 4+1 LANES TO 2+1 LANES AND THE FUNCTIONAL**  
**CLASSIFICATION FROM MINOR ARTERIAL TO URBAN COLLECTOR.**  
**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 18, 2005

Members present: Carlson, Sunderman, Krieser, Larson, Carroll, and Bills-Strand (Taylor and Pearson absent).

Staff recommendation: Denial.

Ex Parte Communications: None.

**1. David Cary** of Planning staff submitted additional information for the record, including comments in support from residents in North Hills.

Proponents

**1. J.R. Brown**, 5501 Rockford Drive, the applicant, testified that on November 17, 2004, the North Hills neighborhood met to discuss the proposed design of Fletcher Avenue and many concerns were brought to the attention of Randy Hoskins, the City Traffic Engineer. The neighbors formed a committee to evaluate the impact of Fletcher Avenue. Council member Annette McRoy met with Randy Hoskins to discuss options to lessen the impact on the neighborhood and Hoskins indicated that there is nothing that can be done to change it. The neighborhood is committed to work with the city and the surrounding developers. The neighborhood has asked to be included in the process and wish to have their concerns addressed. This proposal is now the only option to protect the quality of life in North Hills.

Brown continued his testimony stating that this amendment is good for the neighborhood because it will minimize the noise impact. The neighbors knew I-80 would have an impact on the noise levels in the neighborhood, but they did not know there would be an arterial street with 20,000 cars per day and a large retail shopping center district. With the widening of I-80 and 14<sup>th</sup> Street, he believes the city will be at a point where it will be violating its own noise ordinance.

Another benefit is that this proposal will minimize the trash and pollution to the North Hills property. The wetlands is owned and maintained by the neighborhood association and drainage from Fletcher will impact this property greatly.

Brown believes that Fletcher will become the next Superior Street – it is a safety concern to the neighborhood. There is a proposed school site in the area. Homes on Kennedy will have car lights shining into their house through the night and there will be bright street lights polluting the neighborhood.

Brown also suggested that this amendment is good for the surrounding businesses. There is B-2 zoning to the north of the North Hills neighborhood and the proposed location of Fletcher is not consistent with B-2 zoning or the Comprehensive Plan, which provides that neighborhoods should have liberal pedestrian access to business development. This cannot happen with a four to six lane street.

Brown pointed out that the staff report quotes from the Comprehensive Plan indicating that there will be a street and road improvement program that is both physically attractive and sensitive to the environment and urban neighborhood. Brown submitted that if Fletcher is built as planned, it will not be attractive to the neighborhood.

Brown reiterated that this proposal is a last resort to minimize the negative impact to the neighborhood. The neighbors are still committed to work with the city to come up with an acceptable solution.

Short of keeping Fletcher as a 2+1, Carlson asked Brown what he has asked the City to think about. Brown stated that he has asked the City to consider moving Fletcher to get some better integration with the businesses – to move it away and lessen the noise to the residential and use the businesses as more of a buffer. He has requested that Fletcher be moved closer to I-80. They have not had the opportunity to get a good discussion going.

Carlson asked whether the neighborhood is opposed to B-2 on the south side. Brown indicated that the neighborhood wants the B-2 services. But, they will not be enticed to use those services if they have to cross this large street. He thinks it can be better arranged.

**2. Bill Rogers**, 5821 Kennedy Court, testified in support. His property backs up to the wetlands. He attended a meeting on September 29, 2004, where Chad Blahak (of Public Works) stated that there would be a number of neighborhood meetings in which the design of Fletcher can be addressed. That is the last meeting that the neighbors had an opportunity to attend. The neighborhood subcommittee has not been advised of any of the meetings concerning the design of Fletcher and it is his understanding that Fletcher is in the design phase. As a property owner on the wetlands and as a grandfather, he has great concerns about a four to six lane highway being behind his home and having to cross the road to get to the neighborhood services. The neighbors are looking for an opportunity to work with the city and any developer.

**3. Carol Brown**, 2201 Elba Circle, testified in support. In 2000, she was part of the LRTP Task Force responsible for addressing the need for an updated road system. Little did she know it would bring her full circle to this point. As a member of that Task Force, she saw maps showing Fletcher as four lanes, which made sense because it appeared to border I-80. Now we are faced with a road that is directed down through a neighborhood with high speeds. We don't even have posted speeds of 45 to 50 mph on 27<sup>th</sup> or Superior Streets and we know what kind of problems we have had on those streets.

The design of Fletcher with speeds of 45-50 mph with access points to North Creek Villas and several businesses is not acceptable. Those in search of the special businesses will be distracted and prime fodder for accidents. Where will the sidewalk be located? On the front of North Creek Villas? Will this be a safe area? Public Works championed a move to not allow access points off 27<sup>th</sup> Street. Now you are allowing access points on Fletcher with much higher speeds.

Brown also suggested that business street fronts should contribute to the pedestrian environment. Narrower streets will slow down the traffic. Brown quoted from the Comprehensive Plan regarding pedestrian walkways in a neighborhood business center.

Brown also expressed concern about the protection of the wetlands from the runoff of 2,000 vehicles. She quoted from the Comprehensive Plan relating to a balanced transportation system that will be guided by balancing needs and expectations, "...while minimizing impacts on established neighborhoods and investments. ....The system should establish public transportation, bicycling and walking as realistic alternatives now and in the future....place multi-family and elderly housing nearest to the commercial area".

Brown suggested that the location of Fletcher Avenue does not address any of the ideas in the Comprehensive Plan and is not conducive to the Comprehensive Plan, e.g., building principles for existing commercial centers: maintain businesses that are convenient to and serve neighborhood residents yet are compatible with but not intrusive upon residential neighborhoods; expansion of existing commercial and industrial uses should not encroach on existing neighborhoods and must be screened from residential areas. Brown stated, "If you build this road, they will come."

**4. Pastor Jason Taylor**, 5525 N. 17<sup>th</sup> Street Court, and pastor of Holy Savior Lutheran Church on Superior and I-180, testified in support. Many of the congregation members are neighbors in this area. He has a concern that this kind of traffic flow is really going to affect the quality of life in the neighborhood. He moved into the neighborhood last June. He does not believe there has been a lot of communication about what Fletcher is going to be like for the people who have moved into this area. It is a very nice neighborhood. This will negatively affect the entire neighborhood. There needs to be dialog between the developers, the city and the neighborhood. The main interest of the neighbors is to lessen the traffic.

Opposition

1. **DaNay Kalkowski** appeared on behalf of **North Hills Limited Partnership, Northern Lights LLC and Southview, Inc.**, the parties who were the developers of the North Hills residential subdivision and owners of the commercial property located north and west of Fletcher and east of 14<sup>th</sup> Street. Her clients oppose the reclassification of Fletcher from an arterial to collector street. In November, 1999, the preliminary plat for the North Hills residential subdivision was approved, which showed future Fletcher Avenue within a 120' proposed right-of-way. It also included a grading plan for Fletcher as a four-lane roadway. As part of that same package, the B-2 zoning was approved on the area on the north side of Fletcher, believing that it was an appropriate use/zoning to be located between the interstate and an arterial roadway. This occurred before any the single family homes or any development had taken place in North Hills. The city showed Fletcher as an arterial street and the uses were planned accordingly, with commercial on the north side adjacent to the interstate, with green space on south side before the single family residential.

Kalkowski pointed out that a lot has happened since 1999 in reliance on the approved preliminary plat. The right-of-way for Fletcher has been dedicated as part of the final plat. A sewer line has been built in the right-of-way. The city is in the process of designing Fletcher as an arterial and her clients have moved forward with development plans for the B-2 commercial on the north side in reliance on the location of Fletcher and its designation as an arterial roadway.

Kalkowski is not aware of anything that would support a reduction in the classification of Fletcher as an arterial street. Fletcher as an arterial street is an integral part of the transportation system needed in this area to effectively move transportation and keep it from becoming a burden on the neighborhood streets.

Staff questions

Carlson inquired of Public Works as to the testimony about design meetings for Fletcher Avenue that were supposed to have occurred. Randy Hoskins, City Traffic Engineer, advised that the schedule initially laid out by the city in working with the consultant doing the design got delayed about a month because of weather and funding issues. We are probably looking at a public meeting in the August/September time frame. This gives the designers time to get the survey done and drop an initial alignment onto the existing right-of-way. They will go out and talk to the neighborhood.

Carlson inquired whether there will be opportunity for adjacent neighbors to discuss the alignment of the road. Hoskins advised that when this whole subdivision was platted, the right-of-way for Fletcher was included as part of that plat. The Fletcher Avenue right-of-way was there from the beginning. Now you have a subdivision on the west side of 14<sup>th</sup> that is lined up with that location. Both of those roads need to meet at the same location on 14<sup>th</sup> Street so

that there is a full four-way intersection. It is believed that warrants will be met for a traffic signal at that location. Beyond that, whether or not we could move it away from the intersection and move off the alignment is something we would have to work out with the developer since we already have the right-of-way. There is a sanitary sewer line or water line that is already in place within the existing right-of-way. To move outside the area, we would not be able to swap right-of-way because we would need to maintain an easement over the existing right-of-way.

#### Response by the Applicant

J.R. Brown showed a map of the design that was approved in August of last year. This is the first time the Planning Commission has ever seen this alignment. It was not provided in the on-line public information. This is a concern because if this was in that packet he would have been here to talk about this sooner. The buildings are big enough that it could be a super center of some kind. He acknowledged that Kalkowski has been working with the neighbors.

As far as moving transportation, Brown testified that the subdivision residents on 14<sup>th</sup> are coming south over I-80 to get into Lincoln. They are not going to want to take Fletcher and backtrack north to 27<sup>th</sup> Street to get to those arterial streets. They will head right to Superior or take a short cut through the neighborhood to get to 27<sup>th</sup>. By Fletcher's design, Brown believes it is actually going to increase traffic through the neighborhood.

As far as the design meetings, Brown believes these are occurring after the fact—after it has been designed, so the neighbors really won't have any input. Why don't we meet with the consultants up-front? If the property was platted in 1999 – why wasn't the street built sooner? Only half of the street was built. The neighbors were under the impression that it was going to be a residential or small business size street. They did not know it was going to be a bigger street. This is his first house and he would not have purchased it had he known about the size and location of Fletcher. The neighborhood is open to suggestions.

#### **ACTION BY PLANNING COMMISSION:**

May 18, 2005

Carroll moved to deny, seconded by Sunderman.

Carlson stated that he was thinking of making a motion to placing this on pending. It sounds like the neighborhood is not necessarily objecting to the 4+1, but rather where it is located. He is hearing that the reason they are asking for 2+1 is only as a result of not getting the layout and functionality that would work best. It sounds like the design meetings are about to happen and he was thinking of putting this on pending at this time.

Carroll pointed out that it was platted in 1999. There was probably a public hearing for that plat. The right-of-way was drawn on that plat as a 120' right-of-way so the people had the opportunity to do some research on this. He does understand the concern about the businesses along that street, but as far as the street changing back to 2+1, he is opposed.

There is going to be a lot of traffic and it needs to be 4+1 as it was platted and designed in 1999.

Bills-Strand commented, stating that she does not believe 4+1 is dooms day for neighborhoods. South 14<sup>th</sup> Street just got done and there are other streets that are very nice.

Motion to deny carried 5-1: Sunderman, Krieser, Larson, Carroll and Bills-Strand voting 'yes'; Carlson voting 'no'; Pearson and Taylor absent. This is a recommendation to the City Council and Lancaster County Board.

**COMPREHENSIVE PLAN AMENDMENT NO. 05007**  
**TO CHANGE FROM PRIORITY B OF TIER I**  
**TO PRIORITY A OF TIER I, ON PROPERTY**  
**GENERALLY LOCATED BETWEEN**  
**N.W. 70<sup>TH</sup> AND N.W. 56<sup>TH</sup> STREETS,**  
**FROM WEST SUPERIOR TO WEST ADAMS STREET.**  
**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 18, 2005

Members present: Carlson, Sunderman, Krieser, Larson, Carroll, and Bills-Strand (Taylor and Pearson absent).

Staff recommendation: Denial.

Ex Parte Communications: None.

Proponents

**1. Mike Rierden** appeared on behalf of **Lincoln Federal Savings Bank of Nebraska.** Back in 2002, Ken Svoboda and Larry Hudkins asked for an amendment to the Comprehensive Plan to designate this property as Tier I on behalf of the then owner Jim Chambers. Rierden was not part of that proposal, but he does not believe there was much thought as to Priority A or B at that time. Their goal was to get this property into the first half of the 2025 Comprehensive Plan timetable for near term development.

Rierden's client is fully aware of the infrastructure needs in this particular area and staff does a good job of outlining those in the staff report. Rierden and his clients are confident that they can utilize the existing sewer that has been there for a number of years; and they are aware of the fact that water is in close proximity but it will take time, effort and money to get it there. They are fully aware of the street issue and have been working with Lincoln Public Schools, which is interested in a site in this area, along with the NRD, who is planning some flood control improvements in the area. The owners are willing to sit down with Planning and the

other departments to talk about how we get the infrastructure to this particular area and how it is paid for. The owners are willing to pay their fair share for the extension of the infrastructure. This would have a positive impact in the area because there is a need for affordable housing and it would add to the existing lots, which are getting slim in Lincoln.

There was no testimony in opposition.

Bills-Strand noted that she served on the Lincoln Public Schools Housing Task Force. She knows that they are looking at this area as one that provides a lot of affordable housing. Can they easily connect into the sewer and develop this area if they are willing to pay? Duncan Ross of Planning staff believes the staff report outlines that the sewer is not the contention or the infrastructure element, it is the roads and the water which shall be a substantial public cost that need to be added to the infrastructure. The sewer line is in the ground in close proximity. There are downstream improvements that need to be completed prior to the development of this area. The sewer is not the concern for including this area in Priority A. It is the water and the roads, and the city is significantly lacking financing for both.

**ACTION BY PLANNING COMMISSION:**

May 18, 2005

Carroll moved to deny, seconded by Sunderman.

Bills-Strand believes it is an area for a lot of good affordable housing and is hopeful that we can look at it down the road for infrastructure financing.

Motion to deny carried 6-0: Carlson, Sunderman, Krieser, Larson, Carroll and Bills-Strand voting 'yes'; Taylor and Pearson absent. This is a recommendation to the City Council and the Lancaster County Board.

**COMPREHENSIVE PLAN AMENDMENT NO. 05009  
FOR A CHANGE FROM AGRICULTURAL TO INDUSTRIAL  
AND REGIONAL COMMERCIAL; INCLUSION IN THE  
COUNTY FUTURE SERVICE LIMIT; AND A CHANGE  
FROM TIER II TO TIER I, PRIORITY A, ON PROPERTY  
LOCATED ON THE NORTHWEST CORNER OF THE INTERCHANGE  
OF INTERSTATE 80 AND HIGHWAY 77 (NORTH 56<sup>TH</sup> STREET).  
PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 18, 2005

Members present: Carlson, Sunderman, Krieser, Larson, Carroll, and Bills-Strand (Taylor and Pearson absent).

Staff recommendation: Approval, except for the designation of a site specific regional center/commercial designation.

Ex Parte Communications: None.

Proponents

1. **Mark Hunzeker** appeared on behalf of **Developments Unlimited LLP**, the applicant which is proposing to change 208 acres from Tier II to Tier I, Priority A, at the northwest corner of 56<sup>th</sup> and I-80. They are seeking a site specific regional commercial center designation as well as site specific light industrial designation. Highway 77, which runs north of I-80, is a four-lane divided highway. I-80 is soon to be a 6-lane facility. There are two unrestricted access points with turn lanes on Hwy 77 and the interchange at Hwy 77 on I-80 is scheduled to be improved along with the widening, making it ideal for both commercial and industrial uses. The cost of adding this to Tier I is very minimal. The property owners to the south of I-80 have been working for several years to bring sewer and water and to annex the property between Salt Creek and I-80. In fact, there is an annexation agreement for a portion of that property on the pending list in front of the City Council. The difficulty has been financing the infrastructure improvements, which are all scheduled within the near term of the CIP. Those improvements would have to be extended from the south side of I-80 up to this site. It may require a booster pump. There will need to be some study done on serving the area with water and sizing the sewer appropriately, but in terms of marginal cost in extending utilities to this site, Hunzeker believes it is very minimal.

Hunzeker further noted that the Comprehensive Plan places some focus on the economy and need to provide sites for employers that we wish to retain and attract to Lincoln, and the need for recognizing the growing commerce and interdependence between Lincoln and Omaha and the development of the I-80 corridor. This site lends itself very well to that emphasis and plan.

Hunzeker noted that the staff has recommended approval of a light industrial designation but denial of the regional commercial designation. Hunzeker suggested that the only real explanation for that recommendation is that the Comprehensive Plan currently does not contemplate siting additional regional commercial centers. While that may be true, Hunzeker believes there is still language which talks about the need for commercial centers and where they should be located. The market area in the Comprehensive Plan may cover the entire planning area and even counties within several hours' drive from the center. This site lends itself very well to a variety of commercial uses – retail, outlet malls, service uses, hotels, restaurants -- that can serve the region as well as north and northeast Lincoln. The city has not done a good job of exploiting our access and frontage on Interstate 80 to bring travelers off the Interstate. The only access with services for the traveling public is not particularly user friendly. Hunzeker believes this is an ideal location for the types of uses described and it would be a substantial public benefit to bring more travelers off the Interstate.

Hunzeker also submitted that it is important that people have the ability to hold onto industrial sites to provide for employers. In the short term, there is a need to be able to develop retail uses which are likely to have immediate and high demand in order to finance the infrastructure improvements for the industrial sites.

Carroll noted that the staff proposed a different drawing as far as the site which is based on drainage. Hunzeker stated that he has no objection to the addition of the land to the north. They have discussed the boundary lines with the staff. He anticipated that as they get further into the engineering of this site, the boundaries are likely to change. He has no objection to the boundaries proposed by the staff.

As far as location of the commercial and industrial on the map proposed by the staff, Hunzeker indicated that they had anticipated that the light industrial would be the area which does not necessarily have direct frontage on the two major thoroughfares. The visibility and the accessibility to Hwy 77 and visibility from the Interstate are very important to the retail users. Hunzeker cautioned that this is a very general document and the Comprehensive Plan does not get that precise; however, he would expect that the retail users would want the frontage along the highway and the Interstate, and the industrial users would not need that immediate exposure.

There was no testimony in opposition.

**ACTION BY PLANNING COMMISSION:**

May 18, 2005

Carlson moved to approve the staff recommendation, seconded by Carroll.

Carlson likes the idea of creating a large multi-acre parcel for a potential light industrial employment center. We need to have these sites ready, hopefully for high paying wage employers to come to town. Ideally, this would be the right spot. It could be a signature location right on the Interstate. The only concern he might have is that we have seen a lot of these employment center designations put on the map and they disappear. He understands the economic drive but it is discouraging as a community when we are trying to create these big sites for employment centers.

Carroll would like to see this come forward as an employment center first. At some time in the future, if there is a retail portion that needs to be brought forward, that would be the appropriate time. He wants to look at employment first.

Larson agreed – it is a great spot to have land available for employment centers.

Bills-Strand pointed out that once a developer gets it developed and the cost of holding it is really high, that's when we tend to switch it all to commercial. They are trying to carve off a section to make it commercial to fund the rest of it while they hold the industrial. She does not think that is such a bad plan.

Motion approving the staff recommendation carried 6-0: Carlson, Sunderman, Krieser, Larson, Carroll and Bills-Strand voting 'yes'; Taylor and Pearson absent. This is a recommendation to the City Council and the Lancaster County Board.

**COMPREHENSIVE PLAN AMENDMENT NO. 05011**  
**TO CHANGE FROM GREEN SPACE AND**  
**PUBLIC AND SEMI-PUBLIC TO COMMERCIAL**  
**NEXT TO THE LANCASTER COUNTY EVENTS CENTER**  
**LOCATED ON THE SOUTHEAST CORNER OF**  
**N. 84<sup>TH</sup> STREET AND HAVELOCK AVENUE.**  
**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 15, 2005

Members present: Carlson, Sunderman, Krieser, Larson, Carroll, and Bills-Strand (Taylor and Pearson absent).

Staff recommendation: Denial.

Ex Parte Communications: None.

Marvin Krout, Director of Planning, submitted a letter from the Downtown Lincoln Association expressing support for the Mayor's request to place this item on pending. The DLA supports the Mayor's intention to invite stakeholders who are involved in providing public facilities for special events in the community to get together and talk about how these future improvements can be provided in the most effective and efficient matter.

Krout stated that the Mayor understands that the Ag Society, the applicant, has submitted a request to place this item on pending for a 90-day period, which would place this back on the Planning Commission agenda for continued public hearing on August 17, 2005. Krout advised that this is acceptable to the administration. The Mayor's original request was to place the application on indefinite pending, but the 90 days is acceptable. The Mayor is proceeding to contact the stakeholders and intends to have a first meeting in early to mid-June.

Krout also pointed out, however, that the letter from the Ag Society expressed their feeling that the only issues to be discussed were traffic and floodplains relating to the commercial site.

The Ag Society does not reference the Mayor's initiative or her letter at all, so Krout assumes that was an oversight and that the Ag Society intends to participate fully in the discussion the Mayor's office intends to have over the next few months.

Proponents

**1. Bill Austin** testified on behalf of the applicant, **Lancaster County Ag Society**, indicating that the Ag Society will not be making a formal presentation today. The Ag Society letter of May 13, 2005, begins to address the concerns raised in the staff report. Today, the Ag Society simply wishes to request a 90-day delay with the intent of working with the city to resolve the concerns raised in the staff report. The Ag Society believes it can show that the Events Center is a unique facility with unique clientele that are not being served. Austin is hopeful to return in 90 days with a positive recommendation from the staff.

There was no testimony in opposition.

Carroll moved to place on the Planning Commission pending list for 90 days, with continued public hearing and action scheduled for August 17, 2005, seconded by Carlson and carried 6-0: Carlson, Sunderman, Krieser, Larson, Carroll and Bills-Strand voting 'yes'; Pearson and Taylor absent.

**THE PLANNING COMMISSION REVIEW EDITION  
OF THE DRAFT SIX-YEAR CAPITAL IMPROVEMENTS  
PROGRAM, FY 2005/2006 - 2010/2011.**

**and**

**THE DRAFT FY 2006-2008 and 2009-2011  
TRANSPORTATION IMPROVEMENT PROGRAM  
PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 18, 2005

Members present: Carlson, Sunderman, Krieser, Larson, Carroll, Taylor and Bills-Strand (Pearson absent).

Staff recommendation: A finding of full and general conformance with the Comprehensive Plan.

Ex Parte Communications: None.

Duncan Ross of Planning staff gave introductory comments. According to the City Charter, the role of the Planning Commission is to determine if the capital projects being requested are in conformance with the Comprehensive Plan. The Charter does not, however, prohibit the City Council from approving projects which are not in conformance with the plan but only that a finding of conformance needs to be established. Ross advised that all of the projects

in this year's draft CIP are recommended by staff as being either in conformance with the Comprehensive Plan or in general conformance. The Planning Commission recommendation will be forwarded for incorporation in the City Council edition of the CIP. It will be issued in conjunction with the city's operating budget, which is tentatively targeted for release in June. The approval of the capital budget typically occurs in late August. The 2005-06 fiscal year begins on September 1, 2005. The City Council only approves the first year of the CIP. The document is also available on the internet at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword = CIP).

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**FINANCE DEPARTMENT: Pershing Auditorium:**

**Howard Feldman**, Assistant General Manager and Director of Facility Accounting for Pershing Center, made the presentation. The main project (#1) is the continuing refurbishing of Pershing. The remaining projects are part of a bond issue for the future years with additional refurbishment of the arena.

There was no other testimony and no questions from the Commission.

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**FINANCE DEPARTMENT: Communications:**

**Julie Righter, Emergency Communications**, made the presentation for the radio shop and emergency communications 911 center. They have submitted six projects for consideration, all falling into the two categories of facilities and communications infrastructure. She stressed that the communications infrastructure for the city and county has been carefully well-planned and they have made a large commitment to that infrastructure because all public safety depends upon that infrastructure. There will be needs to maintain and upgrade the infrastructure that is already there to move forward into the future with the same level of service. The 911 center has continued to grow and it is rapidly outgrowing the space as well as wearing it out.

There was no other testimony and there were no questions from the Commission.

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**FIRE & RESCUE:**

**Chief Mike Spadt** made the presentation. The number of projects has been reduced significantly from previous years. This year's request consists of three projects that are

absolutely necessary and vital to keep pace. There are two fire stations – one for the north sector and one for the south sector – where we have seen growth at a tremendous rate. The third project is a training and maintenance facility. The existing facility at 300 South Street was built in the 1950-60's and no longer meets the needs of the department. The total of 8.4 million has been submitted as general obligation bonds.

There was no other testimony and no questions from the Commission.

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### **PARKS & RECREATION:**

**JJ Yost**, Planning & Construction Manager for Parks and Recreation, made the presentation. The Parks Department CIP is a very carefully calculated spending plan that attempts to balance the rehabilitation and replacement of existing facilities with the expanding recreational needs associated with new growth. "Rehabilitation and replacement" involve the continued safe, comfortable use of parks, playgrounds, trails, pools and recreation centers, which go beyond routine maintenance and repairs and are needed for aging infrastructure. In the 6-year program, there is a total of 110 million, the majority of which involves rehabilitation and replacement. 2005-06 includes 27 projects and approximately 80% of those will focus on rehabilitation and replacement. The others involve new growth needs as well as five projects that are involved with the Antelope Valley project.

There was no other public testimony and no questions from the Commission.

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### **PUBLIC WORKS: StarTran:**

**Karl Fredrickson**, Director of Public Works & Utilities, made the presentation. The CIP includes the purchase of new bus transit vehicles and new supervisor vehicles, and expansion of the storage facility to meet current fire code. They also desire to purchase an automated vehicle location system to improve service and intend to do security improvements on the buses. The CIP also includes new fare box purchases.

There was no other public testimony and no questions from the Commission.

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**PUBLIC WORKS: Business Office (Parking):**

**Karl Fredrickson, Director of Public Works & Utilities**, made the presentation. The major items are repair and maintenance of existing facilities. There is also a study for a new downtown parking garage either in association with Antelope Valley or in coordination with the Downtown Master Plan. Site selection is contingent upon these studies, but they are budgeting for a new garage downtown.

There was no other public testimony and no questions from the Commission.

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**PUBLIC WORKS: Transportation Improvement Program:**

**Mike Brienzo of Public Works & Utilities** and primary staff for the **Metropolitan Planning Organization (MPO)**, made the presentation. The Transportation Improvement Program (TIP) includes all of the primary transportation projects within the city as well as the state, county and special transportation agencies. The TIP is prepared annually and brought forward at the same time as the CIP to coordinate projects. The TIP includes a listing of priority projects during the first three years and out-year projects in the second three years. The priority projects in the first three years are fiscally constrained. The priority listing is flexible to use additional funding as it comes along. The TIP is divided into sections including state, county, and city projects.

(Commissioner Taylor arrived at this point in the meeting.)

The Railroad Transportation Safety District (RTSD) does not have any projects this year. They provide funding for a number of projects within the county. The section 5310 is a section for state funding of paratransit or handivan type facilities. The state program is under review and it is Brienzo's understanding that there will be four projects added at a later date.

Brienzo advised that the TIP will go to Officials Committee and then to the state for public hearing. The TIP is incorporated in the state program by reference and would be available for federal funding.

Bills-Strand referred to Highway 77/Old Cheney/14th Street. She understands that some kind of plan has come forward that everyone is happy with that would allow the employers in that area to proceed with their expansions. Karl Fredrickson, Director of Public Works & Utilities, responded, stating that Public Works has met with two of the businesses and the Mayor has signed an Executive Order outlining the placement of 14<sup>th</sup> Street. Warlick Boulevard or Old Cheney would come closer to the curb line as it exists today, and they will be working on the final design further north, if possible. At this point, this improvement is not in the CIP.

Personally, he would like to see if we could get a combination of additional funds, such as federal safety money through NDOR, etc. Federal funds may be used for high accident locations.

Bills-Strand inquired when the shopping center at 27<sup>th</sup> and Yankee Hill Road will be developed. Duncan Ross of Planning staff believes they are doing the road improvements this summer which will allow some of the development to come forward. All of the development has been approved for the southeast corner, so there are obviously plans in the near term. Bills-Strand believes, then, that there will be additional traffic heading down 14<sup>th</sup> Street before the 3-year CIP is up. Fredrickson stated that Public Works is working on 27<sup>th</sup> & Yankee Hill Road now. Further south is more contingent upon the installation of

the sewer and water, which is in the CIP. Bills-Strand believes that 14<sup>th</sup> and Old Cheney is going to need to be addressed to meet the needs of the employers sooner than three years.

There was no other public testimony.

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**PUBLIC WORKS: Streets and Highways:**

**Karl Fredrickson, Director of Public Works & Utilities**, made the presentation.

- # The street portion of the CIP is financially challenged. They are hoping to get federal funds for some of the emergency and safety projects. They continue to look at high accident locations to get those improved.
- # The funding for arterial and residential rehabilitation is submitted at a reduced level.
- # There are Antelope Valley projects included, which have been laid out to match the pace at which the Corps of Engineers can get the channel done.
- # They are trying to get the construction of "O" Street from 42<sup>nd</sup> to 52<sup>nd</sup> done ahead of the redevelopment in that area.
- # Pine Lake Road from 40<sup>th</sup> to 56<sup>th</sup> is a multi-year construction contract.

- # The S.W. 40<sup>th</sup> Street viaduct, which is over the railroad tracks just south of O Street, is a joint project with the county to replace the bridge over Middle Creek. The financing is RTSD and federal bridge replacement money.
- # Signal and turn lanes at 48<sup>th</sup> & Huntington are TIF funding.
- # The Mayor has introduced a policy for directed impact fees to use impact fees already accumulated plus impact fees that are generated by the development.
- # The Harris Overpass replacement is federal bridge replacement money and RTSD money.

Carlson referred to A Street between 10<sup>th</sup> and 27<sup>th</sup>. He attended a couple of meetings last year that involved making A Street 2+1 between 10<sup>th</sup> and 27<sup>th</sup>. Trinity Church at 16<sup>th</sup> & A has a day care center and an ongoing congregation which makes extensive use of the A Street parking. There were some discussions last year about 2+1, but Trinity wants to keep the parking spaces. He sees this in the 2005 CIP. Is there any flexibility to allow Trinity to keep those parking spaces along A Street? Randy Hoskins, City Traffic Engineer, stated that Public Works will be moving forward to talk to the neighborhood and specifically the church. They will try to work with the church and come up with an acceptable solution so that the transportation needs can be served as well as being sensitive to their concerns. Public Works has considered the possibility of creating off-set parking in front of the church. One of the big drawbacks is that there are several trees that will have to be removed or relocated.

Carlson stated that he is still confused about the need for a center turn lane with the turn lanes that are located at 16<sup>th</sup> and 17<sup>th</sup>. Hoskins advised that there are driveway locations where there are vehicle stops which could lead to rear-end crashes. When the plans come forward with the congestion mitigation plan, Public Works is looking at ways to not have to widen the streets. We want to do incremental types of changes and one of those identified as part of the process was to put in things like the center turn lane, making traffic flow much more easily up and down the street.

Carlson indicated that he is not debating the merits of 2+1, but he is talking about this specific location and hopes everyone realizes that there is an existing church with existing circumstances. Hoskins acknowledged that Public Works did have discussions with the neighborhood and the 2+1 has not yet been put in place because of those discussions. He vowed to continue to work with the neighborhood.

Bills-Strand commented that she has been to numerous weddings and funerals at that church and they do use the parking spaces. Enabling some off-street parking is needed.

Carroll asked for more information on the Harris Overpass. Fredrickson advised that at this point in time, Union Pacific does not plan to move out. The intent is to keep the options open.

If anything happens with a Haymarket arena, the rails may actually move west. To keep the flexibility open, Fredrickson does not believe the west end of the viaduct is going to change.

There was no other public testimony.

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**PUBLIC WORKS: Watershed Management:**

**Karl Fredrickson, Director of Public Works & Utilities**, made the presentation.

- # Continuing to proceed with the basin management plans.
- # Implementation of master planning, some in cost sharing with the NRD.
- # Implementation of best management practice projects in cost share with NRD.
- # Implementation of urban storm drainage projects using the bond money.

**Peter Katt** offered testimony. He has been attending some of the CIP meetings and believes that this is a public policy document. The Planning Commission review is relatively limited, but consistent with that theme and consistent with his involvement over past years, watershed management is an area where it is difficult to see how these spending priorities necessarily mesh with our overall Comprehensive Plan strategy. Using borrowed money to fund development of watershed master plans makes those watershed master plans very, very expensive because we don't pay for them once, but over 20 years. Project 5 (Comprehensive Stormwater Watershed Master Plans) is how we've been funding and that is a mistake to the community. It may not be inconsistent with the Comprehensive Plan, but it should be addressed as part of the budget issue.

Katt further stated that Projects 6 (Implementation of Stormwater Watershed Master Plan and Conservation Plan Projects), 7 (Best Management Practice Projects) and 8 (Floodplain/Floodprone Projects) are difficult to evaluate. How do they mesh with our overall Comprehensive Plan strategy because there are no specific projects proposed? He served on a committee three to four years ago that talked about our park strategy and green space. One of the key components of that group was to say, if this community is going to be able to

afford green space, we have to find ways to make it active green space and we need to partner with Parks & Recreation. All of the green space projects that have come out of Watershed Management have been habitat. They have been non-active recreation space. As we use the next round of bond money, Katt is hopeful that a key strategy will include active recreational space. It needs to be something more than just habitat for animals.

**Nicole Fleck-Tooze of Public Works & Utilities**, responded to Mr. Katt's comments. The basin master planning that is shown as general obligation bond dollars are projects that were previously funded with general fund. Secondly, regarding Projects 6,7 and 8, Fleck-Tooze stated that there is some specific language in the Comprehensive Plan that identifies the importance of completing watershed master plans, which are specific in identifying specific projects and are adopted as approved subarea plans.

Bills-Strand inquired whether Watershed Management is working with Parks and Recreation to get some of the green spaces to be more active. Fleck-Tooze advised that they have been talking about continuing to look for multiple functions. However, independent from active recreation, they are serving multiple functions including stabilization of streams and water quality, etc.

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#### **PUBLIC WORKS: Street Maintenance Operations:**

**Karl Fredrickson, Director of Public Works & Utilities**, made the presentation. There is no financing shown in the first year. There are simply a few projects for facility replacement, either upgrade or additional facility acquisition. As the city grows, they will be looking to obtain additional sites south of O Street. The 32<sup>nd</sup> and Baldwin facility is in the way of Antelope Valley phase two projects. There is a need to expand to get more salt material storage. Also included is upgrade and replacement of the gas card control (gas pumps).

There was no other public testimony and no questions from the Commission.

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#### **PUBLIC UTILITIES: Water Supply and Distribution:**

**Karl Fredrickson, Director of Public Works & Utilities**, made the presentation. The CIP includes general ongoing improvements, security upgrades at plant sites as part of Homeland Security; facility master plan update; engineering support for ongoing studies; addition of some plant expansion to 25 mgd; inclusion of storage reservoir near 84<sup>th</sup> and Yankee Hill Road to improve the pressure and reliability of that system; major transmission mains from Greenwood to Lincoln, which is additional supply line from Ashland to get to our

northeast pump facility; continue with selected main replacements; and new distribution mains into the new growth areas.

There was no other public testimony and no questions from the Commission.

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**PUBLIC UTILITIES: Wastewater:**

**Karl Fredrickson, Director of Public Works & Utilities**, made the presentation. The CIP includes replacement programs; repair lift stations; coordination with the Antelope Valley project; relocation of pipes and replacement; plant improvement and expansion to control nitrification; trunk expansions into the new growth areas in coordination with the new water lines; financing to look at acquiring new site for a southwest treatment plant to serve new growth areas—this is a public process that is now being designed.

There was no other public testimony and no questions from the Commission.

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**PUBLIC WORKS: Landfill:**

**Karl Fredrickson, Director of Public Works & Utilities**, made the presentation. The CIP includes funding for some landfill expansions at the Bluff Road site; site maintenance and closure of existing 48<sup>th</sup> Street site; closing up certain areas of Bluff Road; final cover and gas control systems; closure costs for the construction of demolition landfill site at N. 48<sup>th</sup> Street landfill and transfer station; financing for solid waste management; and construction of recycling drop-off sites.

There was no other public testimony and no questions from the Commission.

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**URBAN DEVELOPMENT:**

**Marc Wullschleger, Director of Urban Development**, made the presentation. There are 17 projects in the 6-year CIP, 14 of which are in 2005/06. Four of the 2005-06 projects are in the Downtown and ten are in the neighborhoods and other areas, most if not all, are in the low and moderate income areas.

There was no other public testimony and no questions from the Commission.

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**LINCOLN ELECTRIC SYSTEM:**

**Dan Pudenz, Vice-President of Engineering**, made the presentation. The CIP includes 281 million, which includes plans to meet the growth of the city. About every six years, LES adds the equivalent of the city of Fremont to the system. About 101 megawatts of new load is being added, with a net increase of just under 13,000 customers. The CIP includes the additional generation at Council Bluffs No. 4 as well as interconnect with OPPD in relationship to their expansion in Nebraska City. Through numerous discussions, LES has included 2.2 million for elective conversion of overhead facilities to underground. This CIP is reduced by 17 million compared to last year because of the ownership transfer of the street light system to the city of Lincoln.

There was no other public testimony and no questions from the Commission.

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**LINCOLN CITY LIBRARIES:**

**Duncan Ross of Planning staff** made the presentation in the absence of Carol Connor. The first year of funding includes some improvements to the heating, ventilating and air conditioning units at the downtown library. Projects 2 through 7 are facility replacements, primarily parking lot surfacing. There is a general obligation bond identified in the fourth year for Bennett Martin as there have been ongoing discussions about the future of that facility.

There was no other public testimony and no questions from the Commission.

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**AREA AGENCY ON AGING:**

**June Peterson, Director of Lincoln Area Agency on Aging**, made the presentation. This is an eight county agency. There are two centers. One is the Downtown Senior Center at 1005 O Street, and the other is the Northeast Senior Center at 63<sup>rd</sup> & Platte. The Northeast "Active Age Center" is the second most busy center in Lincoln. The project has been in the CIP plan since 1996, so Aging has been looking toward this expansion for 10 years and it appears that this expansion is not going to be satisfactory to serve needs for the next 15 years. Therefore, the proposal in this year's CIP is to create a new free-standing facility in the northeast quadrant which will better serve the older population and the community in general. General revenue funds total \$505,000 and Lancaster County will contribute \$230,000, for a total of \$735,000. Aging is prepared to raise the additional funds that will be needed.

There was no other public testimony and no questions from the Commission.

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**POLICE:**

**Richard Mackey, Administrative Officer**, made the presentation. The CIP includes only two projects, both of which are in future years. One project is a joint use facility or assembly station similar to 27<sup>th</sup> and Holdrege – a freestanding full service station which would house one of the geographic police teams. It is anticipated that the Police Department will need an additional facility similar to the one in the Hall of Justice at some point in the future. The maintenance garage is a 24-7 operation which was built in the 1930's. It has become quite inadequate, but they do not propose to do anything until in the later years.

There was no other public testimony and no questions from the Commission.

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**FY 2005/2006 - 2010/2011 CAPITAL IMPROVEMENTS PROGRAM**

**ACTION BY PLANNING COMMISSION:**

May 18, 2005

Carlson moved approval of the staff recommendation of a finding of full and general conformance with the Comprehensive Plan, seconded by Carroll and carried 7-0: Carlson, Sunderman, Krieser, Larson, Carroll, Taylor and Bills-Strand voting 'yes'; Pearson absent.

**FY 2006-2008 and 2009-2011 TRANSPORTATION IMPROVEMENT PROGRAM**

**ACTION BY PLANNING COMMISSION:**

May 18, 2005

Carroll moved approval of the staff recommendation of a finding of general conformance with the Comprehensive Plan, seconded by Sunderman.

Carlson moved to amend that the two sections of A Street on Table 2 in the TIP be changed to "Neighborhood" designation as opposed to "Scheduled 2005" designation. Motion died for lack of a second.

Bills-Strand reiterated that she would really like to see the city work with Trinity Church to get the off-street parking around the church.

Carlson stated that he is not against 2+1, but in the case of Trinity Church, he is worried that we have a solution that is in search of a problem that does not exist. The "Neighborhood" designation is to recognize special needs. The only points of congestion on A Street are 16<sup>th</sup>, 17<sup>th</sup>, and 27<sup>th</sup>. All three of those intersections have left turn lanes. Trinity is desperately

needing that parking, and he believes it make sense for them to have that special consideration.

Motion approving the staff recommendation carried 7-0: Carlson, Sunderman, Krieser, Larson, Carroll, Taylor and Bills-Strand voting 'yes'; Pearson absent.

There being no further business, the meeting was adjourned at 3:30 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on June 8, 2005.